

REMARKS/ARGUMENTS

Claims 1 through 23 are pending in the instant application. Claims 1, and 2 are the two independent claims. Claims 3 through 23 depend from claim 2.

In the Action, the Office objected to the title of the application as being non-descriptive because the title is not clearly indicative to the subject matter which the claims are directed. Applicant has amended to title to overcome the objection. Reconsideration and withdrawal of the objection are respectfully requested.

In the Action, the Office objected to the specification as the use of the trademarked name VELCRO is not capitalized. Applicant has so amended the specification to traverse the rejection. Reconsideration and withdrawal of the objection are respectfully requested.

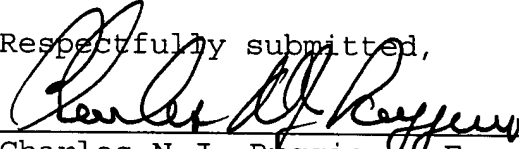
In the Action, claims 1 through 23 are rejected under the judicially created doctrine of obviousness double patenting as being unpatentable over claims 1 through 20 of United States Patent No.: 6,685,535 to Mitchell (hereinafter "the 535 patent"). Both of these applications are assigned to the same assignee, or Sara Lee Corporation. The Office contends that claims 1 through 23 of the instant application although not being identical are not patentably distinct from the '535 patent because they both claim, "a brassiere having cups with at least two different stitch densities to provide two different support areas".

In response, applicant traverses the rejection of claims 1 through 23 by filing a terminal disclaimer under 37 C.F.R. § 1.321(c) to overcome the objection. Applicant states that both the '535 patent and the instant application are commonly owned and assigned to Sara Lee Corporation as set forth in 37 C.F.R. §1.130(b). Reconsideration and withdrawal of the obviousness double patenting rejection are respectfully requested.

It is applicant's belief that claims 1 through 23 are all patentable and in condition for allowance. Accordingly, applicant respectfully requests favorable consideration and that the application be passed to allowance.

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Respectfully submitted,


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